IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

Tr.P(C).No. 110 of 2007()

OP.252/2007 of FAMILY COURT,THRISSUR

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PETITIONER:

VINEETHA JIJI, AGED 25 YEARS,
KOORAN HOUSE, PULIYANAM P.O.,
NEAR KATTUCHIRA, ANGAMALY, PIN-683572

BY ADV. SMT.SANDHYA RAJU

RESPONDENTS:

JIJI THOMAS AGED 38 YEARS, S/O.THOMAS,
PUTHENKALAPURAYIL HOUSE, MANALITHARA P.O.
MALAKKA, NALAMCODE, THRISSUR DISTRICT,
PIN-680589
POLICE STATION LIMITS-VADAKANCHERI.

THIS TRANSFER PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.KRISHNAN, J.

Tr.P.C.No. 110 OF 2007

Dated this the 25th June , 2007.

JUDGMENT

This transfer petition is filed seeking a transfer of O.P.252/07 pending before the Family Court, Thrissur to Ernakulam where the maintenance case filed by the transfer petitioner as M.C.7/07 is pending. The grounds alleged are that the travelling time between Angamaly to Ernakulam is 45 minutes whereas to travel Thrissur is two hours. The petitioner is having a minor child aged about two years and she cannot undertake a long journey with the child and lastly her parents are very old and they are unable to accompany her to a long distance and, therefore, it is practically impossible for her to go to Thrissur to conduct the case. Respondent served. He has not filed any counter affidavit and has not entered appearance in this court through counsel. So, the averments in the transfer petition remain uncontroverted. It is also submitted that the case before the Family Court, Thrissur is a filed as a counterblast to the maintenance case filed by her in the Family Court, Ernakulam. Considering the fact that she is having a very small child and the parents are old and her financial capacity, it is only just and reasonable that the case pending before the Family Court, Thrissur is

transferred to Family Court, Ernakulam. Therefore O.P.252/07 pending before the Family Court, Thrissur is transferred to the Family Court, Ernakulam. Before effecting transfer intimation may be given to both parties by the Family Court, Thirssur. Transfer petition is disposed of accordingly.

M.N.KRISHNAN
Judge

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